

**MAYOR & COUNCIL**  
**February 2, 2026**  
**MEETING HELD IN-PERSON AND VIA TELECONFERENCE**

Mayor Thomas A. Bauer called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 p.m. This meeting is available to the public, in person with limited seating and via teleconference. In attendance were Vice Mayor Odell Jones, Jr., Council Members, Todd Lanier, Mike McClure, and Matthew Waldman. Key Personnel: Town Manager Jeff Fleetwood, Chief Ivan Barkley, Student Advisor Rylin Nichols, and Clerk of Council Vondell Spencer. Guests: Joel Litchenberg, Vince Luca, Charles Robino, Andrew Warfield, Kevin Aydelotte, Tom Nichols, Bret Davis, and via teleconference; Rodney Brown.

Mayor Bauer called the meeting to order, and Town Mgr. Fleetwood led the Pledge of Allegiance.

A quorum was established.

**Mayor's Comments**

Mayor Bauer wished a Happy Birthday to Student Advisor Rylin Nichols and a Happy Birthday to Mayor Jorden a day early.

Mayor Bauer congratulated the newly elected officers of the Delmar Fire Department and Commissioner Jacob Boothe as the Fire Department President. The thanked the Delmar Fire Department for serving and protecting our community.

Mayor Bauer commented during the last snow storm some of us from town hall assisted the DWP riding along with the crew. We saw many aeras with vehicles on the roads making it harder for the plow driver to maneuver and clear the streets. He said he is sure this happens in every community, but if you are able to move your vehicle off the road for 24-48 hours it would make the plow drivers life less stressful because they can do a better job clearing the roads and not have to avoid hitting your car. It's all about safety. Less chance for property damage or personal injury to the plow drivers. Yes, you still have to dig out. Please think of your neighbors and keeping the roads safe to drive.

Mayor Bauer mentioned Town Mgr. Fleetwood, Vice Mayor Jones and himself met with State of Delaware Representative Sarah McBride to try to get federal funds for INI, stormwater, etc. He said nothing is going to happen before September but it sounded promising.

**Approval of Minutes**

Mayor Bauer noted Council Member Waldman will be arriving late.

Mayor Bauer called for a motion to approve the January 5, 2026 meeting minutes as circulated. A motion was made/seconded (McClure/Lanier) and carried by a vote of 4 Ayes 1 Absent (Waldman).

## **Unfinished Business**

None.

## **New Business –**

### MOU Wicomico County Animal Control

Town Mgr. Fleetwood explained the agreement between MD and DE in March 2025 for renewing the MOU agreement between Wicomico Animal Control and the Town of Delmar. He noted the Wicomico County Animal Control processes are far more stringent than either Delmar, MD or Delmar, DE. Delmar, Maryland agreed to add one sentence on page two to the MOU. Town Mgr. Fleetwood stated upon the agreement Wicomico County Animal Control can operate in Delmar, MD and Delmar, DE they can operate off of the one set of rules Wicomico County has adopted which is more stringent than what the Town of Delmar had in place.

Mayor Bauer noted Council Member Waldman arrived a few minutes ago.

Mayor Bauer called for a motion for the amended animal agreement. A motion was made/seconded (Lanier/Jones) and carried by a vote of 5 Ayes.

## **Committee Reports:**

Police Chief's Report – The report is included in the mail packet.

Chief Barkley reported: 1.) There was a robbery on the DE side, no weapon was involved. The suspect was known to the victim. The suspect was taken into custody and is currently awaiting trial in jail. There are no other serious crimes or patterns emerging in our community. Mayor Bauer asked Chief Barkley if there were any car break-ins or car thefts lately. Chief Barkley answered no, and there is still some work to be done on the previous stuff. However, at this point the weather may be a heavy factor.

Student Advisor –

Student Advisor Nichols reported: 1.) Boys' basketball plays Indian River, home, on Tuesday at 5:45 p.m. This is their Senior Night. They play Delmar Christian on Thursday at 5:45 p.m. also at home. Their current record is 10-4. 2.) Girls' basketball plays Indian River, away, on Tuesday at 5:30 p.m. and they also have a home game against Delmarva Christian on Thursday at 4:30 p.m. Their current record is 6-8. 3.) Wrestling has a match against Indian River, away, on Wednesday at 5:30 p.m. and they have another match at home on Friday at 5:00 p.m. against Sussex Tech which is their Senior Night. Their current record is 9-5. 4.) February 16<sup>th</sup> the school is closed for President's Day. 5.) The high school is doing a musical called "Catch Me If You Can" on Friday, February 27<sup>th</sup> at 7:00 p.m. and Saturday, February 28<sup>th</sup> at 1:00 p.m. and 7:00 p.m. The tickets are \$10 per person.

Code Enforcement Officer Report – The report is included in the mail packet.

Public Works – The report is included in the mail packet.

Utility Commission – The report is included in the mail packet.

The meeting was January 5, 2026.

Town Mgr. Fleetwood reported: 1.) The upgrade at the WTP is complete minus the two high service pumps. The WTP is still waiting and installation of them. 2.) Lincoln Ave.: stormwater has been corrected and is working.

Parks and Recreation Report – There was no meeting.

Fire Department – No report.

Planning & Zoning –

Vice Mayor Jones reported:

1. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 60, 38551 Winterberry Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 60, 38551 Winterberry Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 60, 38551 Winterberry Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 5 Ayes.

2. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 61, 38553 Winterberry Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 61, 38553 Winterberry Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 61, 38553 Winterberry

Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 5 Ayes.

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 62, 38557 Winterberry Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 62, 38557 Winterberry Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 62, 38557 Winterberry Dr. Delmar, DE, per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 5 Ayes.

4. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 75, 38552 Winterberry Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 75, 38552 Winterberry Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 75, 38552 Winterberry Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 5 Ayes.

5. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 79, 38536 Winterberry Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 79, 38536 Winterberry Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 79, 38536 Winterberry Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 5 Ayes.

6. **Charles Robino – Rezoning from Light Industrial to Residential– 3 Delaware Avenue, Delmar, DE** – Mr. Robino requested rezoning from Light Industrial to Residential as referenced per the attached drawings. Mr. Robino stated this was a residence for a couple years and is currently unoccupied. This is an oversized lot which is actually two lots combined into one which complies with the town’s Comprehensive Plan. A conversation occurred.

Vice Mayor Jones called for a motion to go into a public hearing. A motion was made/seconded (Bauer/Waldman) and carried by a vote of 5 Ayes.

There were no public comments.

Vice Mayor Jones called for a motion to return back to regular session. A motion was made/seconded (Bauer/McClure) and carried by a motion of 5 Ayes.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Charles Robino – 3 Delaware Avenue, Delmar DE – Rezoning to Residential R1 with a condition that the two existing lots be consolidated into one.

Vice Mayor Jones called for a motion to accept – Charles Robino – Rezoning from Light Industrial to Residential – 3 Delaware Avenue, Delmar, DE, per the attached drawings. A motion was made/seconded (Waldman/Lanier) and carried by a vote of 5 Ayes.

7. **Bret Davis – North Delmar Shopping Center (Conceptual Plans) – Map/Parcel #532.20.00-89.00, Delmar, DE** – Mr. Davis presented conceptual plans for the proposed North Delmar Shopping Center. He stated there was a meeting today in Dover, DE to day where they received an award for the Site Readiness Grant for the previously approved 75-acre North Delmar Business Park which will be 750,000 square feet of warehouse space. He said they received \$1,400,000 dollars today and they will close on the property next week and their intent is to have the plans submitted for water and sewer by the end of this month with the goal of breaking ground in the next 60-90 days.

Mr. Davis said they also received approval from DelDOT to have a new road from Rt.13 to Old Stage Rd. That road is being fully designed but the goal is they will have multiple building breaking ground by the end of this year. They will be applying for a TIF Grant which will be substantially larger. The total project cost will be \$75,000,000 to \$100,000,000. Mr. Davis added the new road is designed to be shared with any future school and they performed a traffic study on behalf of the school so the town will not have to pay for a traffic study. They will be running sewer and water down that road to potentially save some money for onsite costs.

Mr. Davis stated they will dig out and build the stormwater ponds for the school if they so choose and it would cost the town nothing. He further said there is a stormwater ditch next to the highway was never finished that floods that area. It was determined it was

never actually wetlands it was a giant pipe that DelDot never finished so they are eating that cost as well.

Mayor Bauer asked Mr. Davis if they were putting in a turning lane on Rt.13. Mr. Davis answered he will send the town the drawings but you will be able to turn from Rt.13 onto that road. The road and all the infrastructure he described/discussed will be covered under the TIF Grant. The amount they are asking for in this TIF Grant is several million dollars.

Mr. Davis stated the submittal for tonight is for a retail complex that has three pad sites shown out front, a two-part shopping center that might be broken into three parts. The anchor tenant will not be disbanding their current location; this is their second location. The goal of this shopping center is to have mixed use. The goal is to build one portion of the strip center and to deliver some pad sites. He clarified they submitted their traffic study to DelDot for feedback which was it is very likely there will be a need for a traffic light and the road coming off of Rt.13 they are designing it so if it ever needed to be going back to the **paper road** it previously was it could be connected as far as to the school. DelDot should have their final approval as soon as this month and the goal is to start construction by the end of the year. A conversation occurred.

Mr. Davis said there will be a drive-thru on one end of the pad site and the idea is to have between the two strip centers a common space for amenities for exterior use. There is an access break onto Rt.13 so there is the ability to cross Rt.13. He further said in the first phase they will deliver all the stormwater for the entire site so, if they do get a call from someone the entire project is ready to go.

The Planning and Zoning Commission did make a motion because the plans are conceptual.

Vice Mayor Jones called for a motion to accept – Bret Davis – North Delmar Shopping Center (Conceptual Plans) – Map/Parcel #532.20.00-89.00, Delmar, DE, per the attached drawings. A motion was made/seconded (Lanier/Waldman) and carried by a vote of 5 Ayes.

8. **Andrew Warfield – Single Building (Dunkin Donuts) – Lot 5, 3 Gerald Court, Delmar, DE** – Representative from Parker and Associates, Mr. Kevin Aydelotte presented for final approval for a standalone Dunkin Donuts site as referenced per the attached drawings. He said they have received all approvals required, they had a conversation with Planning and Zoning Director, Mr. Evanson this morning, and they are going to have a preconstruction meeting scheduled this month. If DelDot does a full improvement then it will not affect their circulation. A signal intersection would help because you could exit Thornton Blvd. and go left and head south of Rt.13. Mayor Bauer asked Mr. Aydelotte if it would be completed by the end of the year. Mr. Aydelotte answered they would like to break ground as soon as the weather breaks.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Single Building (Dunkin Donuts) – Lot 5, 3 Gerald Court, Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Single Building (Dunkin Donuts) – Lot 5, 3 Gerald Court, Delmar, DE, per the attached drawings. A motion was made/seconded (Waldman/Bauer) and carried by a vote of 5 Ayes.

### **Town Manager's Report**

Town Mgr. Fleetwood reported: 1.) There was a preconstruction meeting today with Farmer's Bank of Willards and they are looking to get started in the next 30 days. 2.) Town Mgr. Fleetwood emailed the Council an updated five-year Capital Improvement Plan for PW, WTP, and WWTP. 3.) Town Mgr. Fleetwood emailed everyone a one-page document of sanctioned town events for the next twelve months. 4.) Chief Barkley and Town Mgr. Fleetwood had a discussion specifically about State Line Plaza parking enforcement from the northern end of FoodLion all the way to the southern end of Shayona Pharmacy because people are parking illegally. This enforcement will be launched soon. 5.) Davis, Bowen, and Friedel is advertising the town's new RFP (pre-bid) for Phase 3 of the INI project. 6.) Wednesday, February 25<sup>th</sup> at 6:00 p.m. is the first budget workshop. The overall capital is down significantly. This year the town may see a significant increase for the town in healthcare. 7.) A week ago, Saturday Delmar, MD applied for two grants, a Passthrough Grant for \$300,000 with Wicomico County for the Mason Dixon Complex field lights and it was granted. The other grant for \$70,500 from the State of Maryland for improvements at Gordy Park which would be used to fix a couple things at the skateboard park, add to the back-end playground, and helping build a gazebo by the concession stand for the Little League. 8.) Town Mgr. Fleetwood had a conversation today with the Deputy Mayor for the Town of Millsboro aka the CEO of the Farmers Bank of Willards that has purchased Stage Village Mobile Home Park and he will be seeking annexation, water, and sewer. 9.) The snow event from two weekends ago: payroll, salt, fuel, food, etc. cost the taxpayers about \$10,000. 10.) Brian and Brittingham as a hardware feed store closed its doors on Saturday. There is a potential buyer for the structure itself. There is town water and sewer in that location. Brian and Brittingham is currently zoned agriculture in Sussex County. The potential buyer is not seed or feed so they are concerned about DelDot as it relates to Bi-State Blvd. and improvements needed if any. The buyer may approach to the town to be annexed.

### **Council Comments**

Council Member McClure had not comment

- 1.) Vice Mayor Jones commented he attended the Fire Department's Award Banquet and it was a great night.
- 2.) Council Member Lanier wished Student Advisor Happy Birthday. He echoed Vice Mayor Jones. He said it was nice to see the community get excited about the banquet. He questioned a crosswalk on US Rt.13. Town Mgr. Fleetwood responded Maryland State Highway and the MPO have conceptually approved a crosswalk on US Rt.13 on the Maryland side. A conversation ensued.

Council Member Lanier commented he is looking forward to budget season. He further

commented PW did a great job in clearing the roads.

- 3.) Council Member Waldman gave a general reminder to make sure cars are off the road as it is needed for the plows. He said it is the citizens responsibility to shovel their sidewalk and make sure it is clear especially when we have kids walking to school.

### **Public Comments**

- 1.) Mr. Joel Lichtenberg thanked Mayor Bauer for the work he did over at Yorkshire Estates involving salting ice. Mr. Lichtenberg mentioned rebuilding Yorkshire Estates HOA. A conversation ensued.

### **Adjournment**

Mayor Bauer asked for a motion to adjourn. A motion was made/seconded (Jones/Waldman) and carried by a vote of 5 Ayes.

Submitted by:

Clerk of Council  
Vondell Spencer